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January 13, 2023

BY ECF SYSTEM

Hon. Ann M. Donnelly
United States District Court Judge
225 Cadman Plaza East
Courtroom 4GN
Brooklyn, New York 11201

Re: *Henkin, et al. v. Qatar Charity, et al.*, 1:21-cv-05716-AMD-VMS

Dear Judge Donnelly:

My firm represents the Plaintiffs in the above-referenced matter. The Court has scheduled oral argument on the three Defendants' motions to dismiss for February 14, 2023. I am writing to request that the Court re-schedule that argument because I am scheduled to begin a three-week trial before the Hon. Lewis J. Liman in the Southern District of New York on February 13, 2023, one day before the argument date Your Honor set this week. Plaintiffs have not previously requested an adjournment of the argument date.

I was the principal draftsman of the brief that Plaintiffs filed in opposition to the Defendants' voluminous motions to dismiss. For better or for worse, my firm agreed when we were retained to represent the Plaintiffs that I would handle arguments like this one. As a result, I respectfully request that the Court adjourn the argument for one month to allow me to complete my trial and adequately prepare to argue the important issues in this case, which required hundreds of pages of briefing by the parties.

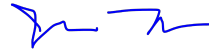
I also note that the Supreme Court has scheduled argument on February 22, 2023 in an Anti-Terrorism Act case arising out of the Ninth Circuit (*Twitter Inc. v. Taamneh*) that the parties in this matter cited in their motion to dismiss briefs. The Supreme Court granted *certiorari* to address two questions related to pleading aiding-and-abetting liability under 18 U.S.C. § 2333(d), the principal statute at issue in this case. The Supreme Court would normally issue all of its opinions for a given term by the day the Court recesses for the summer—June 26, 2023.

Defendants' counsel asked me to inform the Court that, while they "do not object to [my] request, [their] strong preference would be to reschedule this hearing on a date prior to [my] trial if at all possible." As I informed Defendants' counsel, even if Your Honor could hold a pre-February 13, 2023 argument, that scheduling would be impractical for me, as I could not adequately prepare for my trial and this important argument. The trial case, *Rekor Systems, Inc. v. Loughlin*, No. 19-cv-7767(LJL), is new to me; I did not participate in the pre-trial discovery. A number of pre-trial deadlines are looming.

Hon. Ann M. Donnelly
January 13, 2023
Page 2

For those reasons, Plaintiffs respectfully request that the Court re-schedule the argument of the motion to dismiss for a date after March 12, 2023. Thank you for your consideration of these issues.

Respectfully submitted,



James P. Bonner

cc: All Counsel (via ECF)